IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

WP(C).No. 15973 of 2007(S)

PETITIONER:

CAPT.GOPALAKRISHNAN NAIR, (RTD.),
AGED 71 YEARS,
S/O.KRISHNAN NAIR,
KOLLAKALAYIL HOUSE,
VAYALA NORTH,
NARIYAPURAM VILLAGE,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.K.MADHUSOODHANAN NAIR
SRI.C.B.SREEKUMAR

RESPONDENTS:
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1. **STATE OF KERALA REPRESENTED BY THE DISTRICT COLLECTOR, COLLECTORATE, PATHANAMTHITTA.**

2. **ASSISTANT EXCISE COMMISSIONER, OFFICE OF THE ASSISTANT EXCISE COMMISSIONER, PATHANAMTHITTA.**

3. **THE SECRETARY, VALLICODE GRAMA PANCHAYATH, VALLICODE, PATHANAMTHITTA.**

4. **J.BIJU, S/O.JAYADEVAN, BIJUBHAVANAM, L.S.NOORANAD, KOTTAKKATTUSSERI THAMARAKKULAM, ALLAPPUZHA DISRICT.**

5. **K.RAVI,**
   S/O.KUTTAN PILLAI,
   MELETHIL,
   PIRAVATHOOR.

6. **G.VIJAYAN,**
   S/O.GOPALAKRISHNA PANICKER,
   PUTHUVEL MELETHILL,
   MANGARAM (P.O.)
   KONNI,
   PATHANAMTHITTA DISTRICT.

BY SR. GOVERNMENT PLEADER SMT. K. MEERA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, CJ. & K.M. JOSEPH, J.

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W.P.(C) No. 15973 of 2007

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Dated this the 10th day of December, 2007.

JUDGMENT

H.L.DATTU, CJ,

After arguing the matter for quite sometime, learned counsel for the petitioner seeks leave of this court to withdraw the writ petition with liberty to approach the higher authorities for the shifting of the toddy shop said to be situated in Nariyapuram, Konni Range.

2. Permission sought for, if granted, it would not cause any prejudice to the respondents. Therefore, without going into the other details of the case, the writ petition is disposed of as under:

Order

i) The writ petition is disposed of.

ii) Liberty is reserved to the petitioner, if he so desires, to approach the higher ups for appropriate reliefs.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE

K.M. JOSEPH,
JUDGE

sb.